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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,770	10/06/2000	Katsumi Kurematsu	1232-4651	3235

7590 04/25/2003

Morgan & Finnegan LLP
345 Park Avenue
New York, NY 10154

EXAMINER

CRUZ, MAGDA

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/680,770	KUREMATSU, KATSUMI	
	Examiner	Art Unit	
	Magda Cruz	2851	

-- Th MAILING DATE of this communication appears on the cover sheet with th correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tejima et al. in view of Sutherland, et al.

Tejima et al. (US Patent Number 5,442,413) discloses a projection type display apparatus (Figure 1) comprising: a first projection optical system (11) for obliquely projecting light (O1, O2) from an original picture (12) onto a predetermined surface (22), said first projection optical system (11) forming the intermediate image (13) of the original picture (12) on or near said predetermined surface; a second projection optical system (21) for obliquely projecting the light from said predetermined surface onto a surface for projection (22) and imaging it thereon; light deflecting means (30) disposed between said first projection optical system (11) and said second projection optical system (21) for deflecting the light emerging from said first projection optical system (22); and wherein the optical axis (O1) of said first projection optical system (11) is deflected by said light deflecting means (30) to substantially coincide with the optical axis (O2) of said second projection optical system (21); wherein said light deflecting means (33, 34) is disposed on said predetermined surface; wherein said light deflecting

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means is a hologram (column 5, lines 55-59); wherein said surface for projection has an eccentric Fresnel lens (31, 32); wherein said surface for projection has a plurality of eccentric Fresnel lenses (31, 32); wherein said surface for projection has a lenticular lens (column 8, lines 43-44).

Tejima et al. teaches the salient features of the present invention, except a hologram as a diffracting optical element having a diffracting portion sandwiched between a pair of transparent plates. However, Tejima et al. discloses a plurality of eccentric Fresnel lenses (31, 32).

Sutherland, et al. (US Patent Number 5,942,157) discloses a hologram (10) as a diffractive optical element (column 10, lines 6-8) having a diffracting portion (12) sandwiched between a pair of transparent plates (column 2, lines 50-51).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize the diffractive optical element disclosed by Sutherland, et al. in substitution of the eccentric Fresnel lens from Tejima et al.'s invention, for the purpose of producing a high quality holographic transmission gratings (column 3, lines 1-2).

3. Claims 11-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tejima et al. in view of Sutherland, et al. as applied to claims 1-10 and 13 above, and further in view of Sarayedine.

Tejima et al. in combination with Sutherland, et al.'s invention teach the salient features of the present invention, except a plurality of reflecting mirrors, which are so disposed as to be substantially parallel with the surface for projection of a rear

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projection type, projecting an image from the rear onto the surface for projection.

However, Tejima et al. discloses a projection lens system (20) that projects the image (13) onto a screen (22).

Sarayedine (US Patent Number 5,833,339) shows a plurality of reflecting mirrors (column 3, lines 13-15; elements 7 and 9), which are so disposed as to be substantially parallel with the surface for projection (3) of a rear projection type (Figure 4), projecting an image (2) from the rear onto the surface for projection (3).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize the plurality of reflecting mirrors disclosed by Sarayedine, in combination with the projection lens system from Tejima et al.'s invention, for the purpose of making the light beam output by the first means undergo reflections, before directing the beam onto the screen (column 1, line 67 through column 2, line 3).

Response to Arguments

4. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magda Cruz whose telephone number is (703)308-6367. The examiner can normally be reached on Monday through Thursday 8:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (703)308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9318 for regular communications and (703)872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1782.


RUSSELL ADAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Magda Cruz
Patent Examiner
April 21, 2003